

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MARLENE LALATAG, )  
Plaintiff, ) 2:09-cv-02268-LRH-RJJ  
v. )  
MONEY FIRST FINANCIAL SERVICES, )  
INC.; et al., )  
Defendants. )  
\_\_\_\_\_  
)

ORDER

Before the court is District Judge for the District of Arizona James A. Teilborg's ("Teilborg") order to remand filed on May 19, 2010. Doc. #23.<sup>1</sup>

In 2009, the United States Judicial Panel on Multi-District Litigation ("panel") consolidated numerous cases in which plaintiffs allege that MERS engaged in improper business practices when processing home loans. The panel assigned Judge Teilborg to oversee these cases, and he will preside over all issues (discovery, dispositive motions, settlement) except for trials. *In re: Mortgage Electronic Registration Systems (MERS) Litigation*, MDL No. 2119.

In various transfer orders the Panel consolidated several cases, one of which is the current matter *Lalatag v. Money First Financial Services, Inc.*, 2:09-cv-2268-LRH-RJJ. However, as part of the transfer order, the Panel transferred only those claims that "relate to the formation and/or

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<sup>1</sup> Refers to the court's docket entry number.

1 operation of MERS.” The Panel held that all other claims “unrelated to the formation and/or  
2 operation of the MERS system are separately and simultaneously remanded” to the district court in  
3 which they were first brought. Thereafter, on March 16, 2010, the court stayed the proceedings  
4 pending Judge Teilborg’s order parsing the claims and remanding the unrelated defendants and  
5 claims back to this court. Doc. #21.

6 On May 19, 2010, Judge Teilborg issued an initial remand order. Doc. #23. Pursuant to that  
7 order Judge Teilborg remanded: (1) claim 3 for fraudulent concealment; (2) claim 4 for  
8 unconscionability; and (3) claim 5 for unjust enrichment. *Id.*

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10 IT IS THEREFORE ORDERED that the stay in case no. 2:09-cv-2268-LRH-RJJ entered on  
11 March 16, 2010, is hereby LIFTED.

12 IT IS FURTHER ORDERED that defendants have twenty (20) days after the issuance of  
13 this order to answer or otherwise respond to the remanded claims.

14 IT IS SO ORDERED.

15 DATED this 22nd day of June, 2010.  
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18 LARRY R. HICKS  
19 UNITED STATES DISTRICT JUDGE  
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